

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

IN RE. THE MATTER OF) CR. NO. 2:08-cr-07-SRW
THE SEARCH OF FAST CASH, LLC)
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)

United States's Unopposed Motion to Continue Response Date

The United States respectfully requests the Court to continue the due date for its response to Defendant's Motion to Return Seized Property. This motion is unopposed. It requests this relief for the following reasons:

1. On February 5, 2008, the Court signed a Search Warrant for Fast Tax Cash, 3026 Buckboard Road, Suite F, Montgomery, Alabama, 36117. The search warrant was executed on or about February 8, 2008. Various items and records were seized in compliance with this Warrant.
2. On February 14, 2008, Loretta Fergerson filed a motion through counsel on behalf of Fast Tax Cash to return seized property. On February 20, 2008, the Court ordered that the parties meet and confer in person or by telephone on or before February 27, 2008, in a good faith effort to narrow the issues or resolve the dispute. The Court further ordered that if the motion was not resolved informally, then the Government would be required to file a response to the motion on or before February 29, 2008.
3. On February 22, 2008, counsel for the defendant and the Government conferred

about this matter. During the conversation, both parties expressed optimism about resolving the motion without assistance of the Court. To this end, defense counsel promised to provide the Government with a more specific list of the requested items so that the Government can review each request. Defense counsel indicated that he would endeavor to provide this list to the Government before the close of business on Monday, February 25, 2008. The parties, however, will need additional time in order to attempt to consult and confer in relation to each of the items on this list.

4. Further complicating the matter, the attorney for the United States is required to attend an identity theft seminar at the National Advocacy Center in Columbia, South Carolina, from afternoon of Monday, February 25, 2008, through Friday, February 29, 2008. Attorney for the defendant additionally indicated that he will be out of the office on February 28 and 29, 2008. Finally, the attorney for the United States is required to be the Middle District's representative at the Department of Justice's Mass Marketing Fraud Conference in Washington, D.C., from the afternoon of March 4 through March 7, 2008. Defense counsel was advised of these dates, and he advised that he did not object to continuance of the United States's response until a date after these conferences.

5. Therefore, the United States requests a continuance of its response to the Motion for Return of Property in this case until on or after March 14, 2007, so it and the defendant will have enough time to confer and attempt to resolve this issue informally.

Respectfully submitted this 25th day of February, 2008.

LEURA G. CANARY
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CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: George Beck.

/s/ Christopher Snyder
CHRISTOPHER A. SNYDER
Assistant United States Attorney